

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

JENNIFER XUJIA WANG, and RUBIN a/k/a
RUBEN a/k/a RUOPIAN CHEN,

Defendants,

and

ZHILING FENG,

Relief Defendant.

Civil Action No.
07 CV 3715 (AKH)

MOTION TO CORRECT THE FINAL JUDGMENT
AND TO CONFORM THE RECORD

Plaintiff Securities and Exchange Commission (the “Commission”) hereby moves this Court, pursuant to Rule 60(a) of the Federal Rules of Civil Procedure, to correct a clerical error in the Final Judgment, previously entered in this matter, and to conform the record accordingly.

In support thereof, the Commission states as follows:

1. This matter involved an alleged insider trading scheme perpetrated by Jennifer Xujia Wang (“Wang”) and her husband, Rubin a/k/a Ruben a/k/a Ruopian Chen (“Chen”) (collectively, “Defendants”).

2. The case was originally filed as an emergency matter on May 10, 2007. The Commission sought, and this Court issued, a temporary restraining order which, among other things, froze the Defendants' assets and ordered the repatriation of funds taken out of the United States.

3. In the Complaint that was filed on that date, the Commission alleged that Defendants engaged in insider trading in violation of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. § 78j(b)], and Rule 10b-5 thereunder [17 C.F.R. § 240.10b5], and sought, as permanent relief, permanent injunctions against future violations, disgorgement of all ill-gotten gains, prejudgment interest, and civil penalties.

4. The Defendants were criminally prosecuted for the same conduct that was the subject of the Commission's Complaint and, thereafter, a settlement was reached with Defendants in relation to the Commission's case.

5. In connection with alleged violations of law based on insider trading, the Commission is authorized to seek, and United States District Courts have jurisdiction to impose, civil penalties pursuant to Section 21A of the Exchange Act [15 U.S.C. § 78u-1], "Civil Penalties for Insider Trading."

6. Unfortunately, due to a clerical error, the Complaint filed in this case on May 10, 2007, cited Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)], a provision that also provides for the imposition of civil penalties but, generally, is not applicable under the facts presented by this case.

7. This clerical error was then carried through in all of the documents that were later filed in the case, including the Amended Complaint, the Consent of Defendant Jennifer Xujia Wang to the Final Judgment, the Consent of Rubin a/k/a Ruben a/k/a

Ruopian Chen to the Final Judgment, and the Final Judgment itself, each of which erroneously referenced Section 21(d)(3), rather than Section 21A, as the basis for the Court's jurisdiction to impose a civil penalty for the insider trading conduct alleged.

8. The Consents were entered of record on July 1, 2008; the Amended Complaint and the Final Judgment were entered of record on July 3, 2008.

9. Accordingly, for the reasons set forth herein, and in the accompanying memorandum of law, the Commission now respectfully requests that this Court enter an Order, in the form attached hereto, correcting the error in the Final Judgment and conforming the record in this matter, to reflect the proper jurisdictional basis for this Court's authority to order the civil penalties to which Defendants have consented.

10. The requested correction does not impact or alter the rights or obligations of the Defendants or of any third party, as set forth in this Court's prior orders, in the Final Judgment, or otherwise.

11. Counsel for the defendants was contacted, and had the opportunity to review the Motion, Memorandum of Law, and proposed Order, and have advised that they do not intend to object to the relief requested.

Respectfully submitted,

s/

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**SECURITIES AND EXCHANGE
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Dated: July 10, 2008